

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NAJAY CUMMINGS,

Plaintiff,

-against-

JOHN DOE OMH PROVIDER, et al.,

Defendants.

24cv5506 (LTS)

CIVIL JUDGMENT

For the reasons stated in the September 23, 2024, order, this action is dismissed. By order dated July 24, 2024, the Court directed Plaintiff, within 30 days, to pay the \$405.00 in fees required to file a civil action in this court or to submit a completed request to proceed in forma pauperis (“IFP”) and prisoner authorization. That order specified that failure to comply would result in dismissal of this action. Plaintiff has not paid the fees or filed an IFP application and prisoner authorization. Accordingly, the Court dismisses this action without prejudice. See 28 U.S.C. §§ 1914, 1915. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).SO ORDERED.

Dated: September 25, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge